

AMENDED IN SENATE MARCH 27, 2012

SENATE BILL

No. 1538

Introduced by Senator Simitian

(Principal coauthors: Senators Alquist and Runner)

(Coauthors: Senators Berryhill, Calderon, Cannella, Corbett, Correa, De León, DeSaulnier, Dutton, Emmerson, Fuller, Gaines, Hancock, Harman, Huff, Liu, Lowenthal, Negrete McLeod, Padilla, Price, Rubio, Steinberg, Strickland, Vargas, Walters, Wolk, and Wright)

(Coauthors: Assembly Members Achadjian, Alejo, Allen, Beall, Bill Berryhill, Block, Bonilla, Brownley, Butler, Campos, Carter, Cedillo, Davis, Dickinson, Eng, Feuer, Fletcher, Fong, Gatto, Hagman, Hall, Roger Hernández, Hill, Huber, Hueso, Huffman, Logue, Bonnie Lowenthal, Ma, Mansoor, Mitchell, Nestande, Nielsen, Portantino, Skinner, Smyth, Solorio, Swanson, Torres, Wieckowski, Williams, and Yamada)

February 24, 2012

~~An act to amend Section 116355 of the Health and Safety Code, relating to drinking water. An act to add and repeal Section 123222.3 of the Health and Safety Code, relating to mammograms.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1538, as amended, Simitian. ~~Drinking water: Safe Drinking Water Plan for California.~~ *Health care: mammograms.*

Existing law requires specified information to be provided to patients regarding their health care. Existing federal law requires a written report of the results of each mammography examination and requires a summary of that report to be sent to the patient within a specified time period.

This bill, from April 1, 2013, until January 1, 2019, would require, under specified circumstances, a health facility at which a mammography examination is performed to include in the summary of the written report that is sent to the patient a prescribed notice on breast density.

~~The Calderon-Sher Safe Drinking Water Act of 1996 requires the State Department of Public Health to, among other things, adopt regulations relating to primary and secondary drinking water standards for contaminants in drinking water. Under this law the department is required every 5 years to submit to the Legislature a comprehensive Safe Drinking Water Plan for California, including specific components.~~

~~This bill would require the department to include in the plan a discussion of current and post bond moneys available and spent to improve California's water quality and an accounting of which water systems received bond moneys and the types of projects that were funded.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 123222.3 is added to the Health and*
- 2 *Safety Code, to read:*
- 3 *123222.3. (a) A health facility at which a mammography*
- 4 *examination is performed shall, if a patient is categorized by the*
- 5 *facility as having heterogeneously dense breasts or extremely*
- 6 *dense breasts, based on the Breast Imaging Reporting and Data*
- 7 *System established by the American College of Radiology, include*
- 8 *in the summary of the written report that is sent to the patient, as*
- 9 *required by federal law, the following notice:*
- 10 *“Because your mammogram demonstrates that you have dense*
- 11 *breast tissue, which could hide small abnormalities, you might*
- 12 *benefit from supplementary screening tests, depending on your*
- 13 *individual risk factors. A report of your mammography results,*
- 14 *which contains information about your breast density, has been*
- 15 *sent to your physician's office and you should contact your*
- 16 *physician if you have any questions or concerns about this notice.”*
- 17 *(b) This section shall become operative on April 1, 2013.*

1 (c) *Nothing in this section shall be construed to create or impose*
2 *liability on a health care facility for failing to comply with the*
3 *requirements of this section prior to April 1, 2013.*

4 (d) *This section shall remain in effect only until January 1, 2019,*
5 *and as of that date is repealed, unless a later enacted statute, that*
6 *is enacted before January 1, 2019, deletes or extends that date.*

7 SECTION 1. ~~Section 116355 of the Health and Safety Code~~
8 ~~is amended to read:~~

9 ~~116355. (a) Once every five years the department shall submit~~
10 ~~to the Legislature a comprehensive Safe Drinking Water Plan for~~
11 ~~California.~~

12 ~~(b) The Safe Drinking Water Plan shall include, but not be~~
13 ~~limited to, the following information:~~

14 ~~(1) An analysis of the overall quality of California's drinking~~
15 ~~water and the identification of specific water quality problems.~~

16 ~~(2) Types and levels of contaminants found in public drinking~~
17 ~~water systems that have less than 10,000 service connections. The~~
18 ~~discussion of these water systems shall include the following:~~

19 ~~(A) Estimated costs of requiring these systems to meet primary~~
20 ~~drinking water standards and public health goals.~~

21 ~~(B) Recommendations for actions that could be taken by the~~
22 ~~Legislature, the department, and these systems to improve water~~
23 ~~quality.~~

24 ~~(3) A discussion and analysis of the known and potential health~~
25 ~~risks that may be associated with drinking water contamination in~~
26 ~~California.~~

27 ~~(4) An evaluation of how existing water quality information~~
28 ~~systems currently maintained by local or state agencies can be~~
29 ~~more effectively used to protect drinking water.~~

30 ~~(5) An evaluation of the research needed to develop inexpensive~~
31 ~~methods and instruments to ensure better screening and detection~~
32 ~~of waterborne chemicals, and inexpensive detection methods that~~
33 ~~could be used by small utilities and consumers to detect harmful~~
34 ~~microbial agents in drinking water.~~

35 ~~(6) An analysis of the technical and economic viability and the~~
36 ~~health benefits of various treatment techniques that can be used to~~
37 ~~reduce levels of trihalomethanes, lead, nitrates, synthetic organic~~
38 ~~chemicals, micro-organisms, and other contaminants in drinking~~
39 ~~water.~~

1 ~~(7) A discussion of alternative methods of financing the~~
2 ~~construction, installation, and operation of new treatment~~
3 ~~technologies, including, but not limited to user charges, state or~~
4 ~~local taxes, state planning and construction grants, loans, and loan~~
5 ~~guarantees.~~

6 ~~(8) A discussion of sources of revenue presently available, and~~
7 ~~projected to be available, to public water systems to meet current~~
8 ~~and future expenses.~~

9 ~~(9) A discussion of current and post bond moneys available and~~
10 ~~spent to improve California's water quality and an accounting of~~
11 ~~which water systems received bond moneys and the types of~~
12 ~~projects that were funded.~~

13 ~~(10) An analysis of the current cost of drinking water paid by~~
14 ~~residential, business, and industrial consumers based on a statewide~~
15 ~~survey of large, medium, and small public water systems.~~

16 ~~(11) Specific recommendations, including recommendations~~
17 ~~developed pursuant to paragraph (6), to improve the quality of~~
18 ~~drinking water in California and a detailed five-year~~
19 ~~implementation program.~~